

MEETINGS TO DATE 6
NO. OF REGULARS 5
NO. OF SPECIALS 1

LANCASTER, NEW YORK
MARCH 7, 1988

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of March 1988, at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE
ROBERT L. LANEY, BUILDING INSPECTOR
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
MALCOLM J. FRANCIS, JR., ASSESSOR
JOHANNA M. COLEMAN, RECEIVER OF TAXES

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster a refuse dump site.

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDERS

B.F.I. Waste Systems
2321 Kenmore Avenue, Box 9
Kenmore, New York 14217

C.I.D. Landfill, Inc.
10860 Olean Road
Chaffee, New York 14030-9799

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Town Board Solid Waste Committee for examination, tabulation and recommendation.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on February 22, 1988, as presented by the Town Clerk, be and
hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, deems it in the public interest to contract with Water District No. 1 of the Town of Elma for a supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road, between Bowen Road and Ransom Road, and

WHEREAS, such Contract will eliminate the need for the Town of Lancaster Fire Protection District to provide fire hydrants on the north side of Hall Road in the Town of Lancaster, thereby resulting in a saving to the taxpayers of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1. That the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster, Erie County, New York, shall hold a public hearing on the question of the execution of a contract between the said Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma, in accordance with the provisions of Section 184-a of the Town Law of the State of New York, upon the following terms and conditions and such terms and conditions as the Town Boards of the Towns of Lancaster and Elma shall deem appropriate:

a) The contract shall be for a supply of water for fire purposes and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, including the erection and maintenance of markers therefor, for a period of five (5) years, provided, however, that either party may terminate this agreement upon thirty (30) days' written notice, each to the other.

b) The contract shall provide for payment by the Fire Protection District of the Town of Lancaster to Water District No. 1 of the Town of Elma, the sum of \$30.00 per hydrant per year for a total of fourteen (14) hydrants along the southerly line of Hall Road between Bowen Road and Ransom Road, for a period of five (5) years, commencing April 1, 1988 and terminating March 31, 1993.

c) The contract shall further provide that Water District No. 1 of the Town of Elma shall install additional hydrant or hydrants as future construction shall require. If such hydrants shall benefit the Town of Lancaster, rental for same to be paid in accordance with Paragraph b).

SECTION 2. That said public hearing shall be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 21st day of March, 1988, at 8:15 o'clock P.M. Local Time, at which time all citizens or parties in interest may be heard upon the said proposed contract.

SECTION 3. That the Town Clerk of the Town of Lancaster be directed to publish a Notice of such hearing in the Lancaster Enterprise and post a copy of the Notice of said Public Hearing on the Town Bulletin Board, said Notice to be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

March 7, 1988

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
FIRE PROTECTION DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Lancaster at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:15 o'clock P.M., Local Time, on the 21st day of March, 1988, upon the proposed contract between the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma, in accordance with the provisions of Section 184-a of the Town Law of the State of New York, upon the following terms and conditions and such terms and conditions as the Town Boards of the Town of Lancaster and Town of Elma shall deem appropriate:

- a.) The Contract shall be for a supply of water for fire purposes and for the furnishing, erection, maintenance, care and replacement of fire hydrants within the boundaries of the Town of Elma along the southerly line of Hall Road between Bowen Road and Ransom Road, including the erection and maintenance of markers therefor, for a period of five years, provided, however, that either party may terminate this Agreement upon thirty (30) days' written notice each to the other.
- b.) The Contract shall provide for payment by the Fire Protection District of the Town of Lancaster to Water District No. 1 of the Town of Elma, the sum of \$30.00 per hydrant per year for a total of 14 hydrants along the southerly line of Hall Road between Bowen Road and Ransom Road, for a period of five (5) years, commencing April 1, 1988 and terminating March 31, 1993.
- c.) The Contract shall further provide that Water District No. 1 of the Town of Elma shall install additional hydrant or hydrants as future construction shall require, if such hydrants shall benefit the Town of Lancaster, rental for same to be paid in accordance with Paragraph b).

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

BY ORDER OF THE

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "ZONING ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 50 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Zoning Ordinance, Chapter 50 of the Code of the Town of Lancaster, County of Erie, will be held on the 21st day of March, 1988, at 8:30 o'clock P.M., Local Time and that Notice of the time and place of such hearing be published on or before the 10th day of March, 1988, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 7, 1988

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of March, 1988, the said Town Board will hold a Public Hearing on the 21st day of March, 1988, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the proposed amendment to the Zoning Ordinance of the Town of Lancaster, designated Chapter 50 of the Code of the Town, as follows:

CHAPTER 50
ZONING

§50-15. B. Accessory uses and structures, (3) is hereby amended to read as follows:

.....

(3) Storage of house trailers, utility trailers or boats, owned by the occupant of the premises, for his personal use shall be permitted only as follows:

- (a) In an enclosed building, or
- (b) One of above mentioned structures or vehicles may be parked in a side yard or rear yard provided it does not violate any side yard or rear yard minimum yard requirements as defined in §50-18.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster directed the Town Engineer to obtain informal quotes for the removal of certain fuel storage tanks at the highway garage at the Town Center on Pavement Road, on an emergency action basis, and

WHEREAS, the State has allowed the Town additional time to plan for the testing of these fuel storage tanks and possible removal and replacement, and

WHEREAS, the Town Board deems it in the public interest to forego any emergency action on this project,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rejects all bids received for the removal of fuel storage tanks at the Town Highway Garage at the Town Center on Pavement Road.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, a vacancy exists in the position of Secretary to the
Supervisor of the Town of Lancaster, and

WHEREAS, the Supervisor, by letter dated February 25, 1988, has
notified the Town Board that he has appointed JEAN TAMOL, 37 School Street,
Lancaster, New York 14086, to this position, effective March 7, 1988,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor's appointment of JEAN TAMOL to the
position of Secretary to the Supervisor of the Town of Lancaster, effective
March 7, 1988, be and is hereby acknowledged, and

BE IT FURTHER

RESOLVED, that the salary for Jean Tamol be and is hereby set at
\$13,843.00 (75% of the Account Clerk Typist's salary in the Office of the
Supervisor which is currently \$18,457.00) with the following wage step
percentages and dates:

75% Step - March 7, 1988
80% Step - September 7, 1988
85% Step - March 7, 1989
90% Step - September 7, 1989
95% Step - March 7, 1990
100% Step - September 7, 1990

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-PERS-APPT (P3)

PREFILED RESOLUTION NO. 6 - MEETING MARCH 7, 1988

Czapla/_____ Set Public Hearing - V & T Amendment

At the request of Councilman Czapla, Prefiled Resolution No. 6 was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated February 25, 1988, has recommended the appointment of LISA A. LABENSKI to the position of tutor for the Youth Bureau's Tutorial Program, which is part of the Youth Services Budget,

NOW, THEREFORE, BE IT

RESOLVED, that LISA A. LABENSKI, 55 Kennedy Court, Lancaster, New York 14086, be and is hereby appointed to the position of Tutor, part-time temporary, for work with the Town of Lancaster Youth Bureau in their Tutorial Program, at an hourly rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-TUTOR

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated March 1, 1988, has requested authorization to attend the Association of New York State Youth Bureaus' general membership meeting, to be held March 16th and March 17th, 1988 at Albany, New York,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN TROJANOWSKY, the Executive Director of the Youth Bureau of the Town of Lancaster, be and hereby is authorized to attend the Association of New York State Youth Bureaus' general membership meeting, to be held March 16th and March 17th, 1988 at Albany, New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed a total of \$60.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-SEM-MTGS (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has
forwarded an Agreement to Spend Town Highway Funds for the Year 1988 for the
repair of the highways recited therein, and

WHEREAS, the Town Board has previously discussed this Agreement for
the Expenditure of Highway Funds for Road Repair with the Highway Superintendent
and

WHEREAS, State Law requires the Town Board to enter into an Agreement
with the Highway Superintendent for such expenditure of town highway funds on
road repairs, and

WHEREAS, the Highway Superintendent proposes, under Article 1, general
repairs in the sum of \$358,727. and lists under Article 2 of the Agreement the
specific improvements to several roads on which the expenditures, as listed,
shall be no greater than \$35,000.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves
the agreement to spend town highway funds as submitted by the Town Highway
Superintendent for improvements on the roads as listed in said Agreement, which,
as recited, shall not exceed the total sum of \$35,000.00, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby approves
the expenditure of funds for general repairs in the amount of \$20,000.00 and
that the Highway Superintendent shall need the further approval of the Town
Board of the Town of Lancaster to spend moneys in excess of \$20,000.00 by
furnishing a more specific list of general repairs in accordance with the laws
of the State of New York

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES	COUNCILMAN KWAK VOTED YES
COUNCILMAN GIZA VOTED YES	COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES	

The resolution was thereupon unanimously adopted.

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT;

WHEREAS, the Town Board, by resolution dated January 1, 1988,
appointed members to Drug Abuse Prevention Council of the Town of Lancaster,
for the calendar years 1988 and 1989, and

WHEREAS, by virtue of this appointment, these members are Public
Officers of the State of New York and in accordance with Section 10 of the
Public Officers' Law of the State of New York, must sign a Constitutional
Oath of Office within 30 days of this appointment, and

WHEREAS, Rev. Michael Freeman, Associate Pastor of St. Mary's of
the Assumption R.C. Church, Lancaster, New York failed to take said Oath
within the required time limit, and

WHEREAS, by letter dated March 1, 1988, from the Executive Director
of the Youth Bureau, Rev. Freeman has indicated that he still is interested
in serving on the Drug Abuse Prevention Council,

NOW, THEREFORE, BE IT

RESOLVED, that **REV. MICHAEL FREEMAN**, Associate Pastor of St. Mary's
of the Assumption R.C. Church, Lancaster, New York 14086, be and is hereby
re-appointed to the position of member of the Town of Lancaster Drug Abuse
Prevention Council for the period March 7, 1988 to December 31, 1989.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-BD-MEMBERS (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore retained the services of WILLIAM L. HOLCOMB, in negotiations with its employee organizations and as consultant in all labor relations matters, and

WHEREAS, the said WILLIAM L. HOLCOMB, AS Labor Relations Consultant and Negotiator, has tendered a proposed agreement by letter, dated February 24, 1988, and filed with the Town Clerk, setting forth the scope of said services, which Agreement has been approved and recommended by the Town Attorney,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby authorizes and directs the Supervisor to execute the Agreement filed with the Town Clerk, by and between WILLIAM L. HOLCOMB, as Labor Relations Consultant and Negotiator for the period of July 1, 1988 to June 30, 1990, upon the terms and conditions as set forth in said Agreement, and

2. That sufficient funds, in payment thereof, be drawn by the Supervisor, from Account No. A1430.4 - Personnel, Contractual Expenses, of the General Fund Budget.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letter dated
March 3, 1988, has recommended the appointment of certain individuals to the
membership of said Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership
of the Lancaster Volunteer Ambulance Corps:

Karen L. Zajac
1371 Losson Road
Depew, New York 14043

Dr. Stephen J. Zajac
1371 Losson Road
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-LVAC

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal, dated February 19, 1988, for improvement of street lighting on Greenmeadow Drive and Lucia Court, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installations,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations:

Greenmeadow Drive (4)

Lucia Court (4)

Install:

8-3300 lumen HPS post-top lamps @ \$93.23 ea. =	\$ 745.84
Stds. 1, 2, 3, 4, Greenmeadow Drive	
Stds. 1, 2, 3, 4, Lucia Court	

Annual Increase \$ 745.84

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "EXCAVATIONS ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 18 OF THE CODE OF THE TOWN OF LANCASTER,"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Excavations Ordinance, Chapter 18 of the Code of the Town of Lancaster, County of Erie, will be held on the 21st day of March, 1988, at 9:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 10th day of March, 1988, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of March, 1988, the said Town Board will hold a Public Hearing on the 21st day of March, 1988, at 9:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the proposed amendment to the Excavations Ordinance of the Town of Lancaster, designated Chapter 18 of the Code of the Town, as follows:

CHAPTER 18
EXCAVATIONS

§18-21. Fees, (A), (1) and (2) shall be amended to read as follows:

"§18-21. Fees.

A. The Town Clerk, when all conditions of this Ordinance are complied with, shall issue permits and charge and collect the following fees, which are intended to cover the cost to the Town for any necessary engineering review and inspection:

(1) Topsoil:

(a) Any area, One Hundred Dollars (\$100.) plus One Dollar (\$1.00) per cubic yard to be removed from the site.

(2) Gravel, fill, rock, limestone, clay and subsoil:

(a) A minimum fee of Two Hundred Fifty Dollars (\$250.) for the removal of materials in any quantity, plus One Dollar (\$1.00) per cubic yard to be removed. The fee in no event to exceed Ten Thousand Dollars (\$10,000.)

(b) The Town Board may waive this fee where excavation is deemed to be for the benefit of the Town."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, JOSELA ENTERPRISES, INC., 5653 Broadway, Lancaster, New York, has submitted its development plot plan for a proposed residential subdivision to be known as "The Meadows", located on the west side of Aurora Street south of the intersection of Old Post Road with Aurora Street and comprising approximately 46.95 acres, and

WHEREAS, the Town Engineer and the Planning Board of the Town of Lancaster have reviewed this proposed subdivision, and

WHEREAS, a SEQR review of this project has been completed by the SEQR Municipal Review Committee of the Town of Lancaster, and

WHEREAS, Town Law, §281 grants authority to a Town Board to modify provisions of the zoning ordinance to encourage flexibility of design, appropriate use of land, preservation of natural qualities, and facilitate the adequate and economical provision of streets and utilities, as long as the permitted density of sublots under the Zoning Ordinance is not increased, and

WHEREAS, the developer herein has proposed a subdivision plan which will not alter density, but will alter a number of lot widths as shown on its plan and has therefore requested that the Town Board consider approval under §281 of the Town Law, and

WHEREAS, the above mentioned modifications are necessary because of the unexpected economic hardship of the developer to install adequate water lines on and off the project site and installation of a sewer lift station, and

WHEREAS, said modifications are necessary because of the topography of the site which includes a creek and flood plain area, and

WHEREAS, with said modifications the development is feasible and therefore in the best interest of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the final proposed subdivision plot plan for single family residential as submitted in final form by Josela Enterprises, Inc., to be known as "The Meadows", located on the west side of Aurora Street, south of the intersection of Old Post Road and Aurora Street, pursuant to the authority granted to the Town Board under §281 of the Town Law, after review of engineering plans submitted by the developer demonstrates that the parcel would accommodate 120 sublots with a frontage of at least 75 feet, while the proposed plan would result in 119 sublots, some of which do not meet the 75 ft. lot width required by the Zoning Ordinance, on the following conditions:

- (1) Developer to retain architectural and setback control over all lots whether developed by itself or conveyed to any other person, firm, corporation or partnership;
- (2) That the developer or grantee therefrom shall cause the building line of any structure to be at a point in a subplot which is 70' wide, where such lot will accommodate a structure at this point and not be in violation of other requirements of the Zoning Ordinance;
- (3) That the developer provide a stub street on the west and north side of the subdivision as shown on the plot plan;
- (4) That the developer execute an Agreement in form satisfying to the Town Attorney which will obligate the developer or his successor in interest to place a water line to the subdivision which shall be located and run from the subdivision herein, south along the west side of Aurora Street to a point across from the property owned by the developer on the east side of Aurora Street, then traverse Aurora Street in an easterly direction and run generally easterly through the developer's property to its intersection with Lake Avenue and then to run north along the west side of Lake Avenue as is necessary to intersect the water line on Lake Avenue;

- (5) That Deeds from the Grantor/Developer for each lot recite that "part of the subdivision, of which the lot conveyed by these premises is a part, has been designated by the federal government through FEMA as a flood plain and the designated flood plain area as appears on the final development plan on file with the Town of Lancaster, shall not be disturbed in any manner whatsoever by the grantee herein, or his successors, heirs or assigns."
- (6) That the Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof;
- (7) That the Town Attorney be and is hereby directed to attend to the filing of said subdivision map in the Erie County Clerk's Office, which map shall bear the legend that lots within the subdivision may be situated partially within the FEMA designated Flood Plain; and

BE IT FURTHER

RESOLVED, that it is a condition in this subdivision, for the issuance of an Occupancy Permit, that the contractor of each dwelling shall plant two (2) trees on each lot in the public right of way, said trees to be of a height, caliper and variety as to be directed by the Chairman of the Tree Planting Committee of the Town Board of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of these Building Permits be and are
hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
36	Iona Builders	14 Quail Hollow	ER. SIN. DWLG, GARAGE
37	Iona Builders	16 Quail Hollow	ER. SIN. DWLG, GARAGE
38	M.J. Oglony	44 Country Pl.	ER. SIN. DWLG, GARAGE
39	Holiday Lumber	665 Erie St.	ER. GARAGE
40	Anthony Kent	4897 Transit Rd.	REMODEL PORCH
41	Pautler Oil Service	6370 Broadway	REMODEL ROOF
42	Centennial Homes Inc.	47 Nichter Rd.	ER. SIN. DWLG, GARAGE
43	Harris Hill Deli	5375 Genesee St.	INSTALL SIGN
44	Glenn Schilling	6711 Transit Rd.	ER. SIGN
45	Hebler Homes Inc.	23 Plumb Creek Tr.	ER. SIN. DWLG, GARAGE
46	Ferry Builders	4 Old Schoolhouse Rd.	ER. SIN. DWLG, GARAGE
47	Zenon Skubish	42 Fox Hunt Rd.	ER. SHED
48	Rick Simmons	158 Ransom Rd.	ER. SIN. DWLG, GARAGE
49	Marrano/Marc Equity	21 Oakwood Com.	ER. SIN. DWLG
50	Marrano/Marc Equity	25 Oakwood Com.	ER. SIN. DWLG
51	Marrano/Marc Equity	87 Pheasant Run	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 42 and 48 be and
are hereby approved with a waiver of the Town Ordinance requirement for
sidewalks.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-BLDG

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 795 to Claim No. 979 Inclusive.

Total amount hereby authorized to be paid:

\$227,813.80

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-CLAIMS

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, the Director of the Recreation Department of the Town of Lancaster, by letter dated March 4, 1988, has requested authorization to have Mickey Ryska, a worker in the Nutrition Program, attend a Nutrition Seminar sponsored by the Erie County Health Department, at Erie County Community North on March 22, 1988,

NOW, THEREFORE, BE IT

RESOLVED, that **MICKEY RYSKA**, a worker in the Nutrition Program of the Town of Lancaster, be and hereby is authorized to attend a Nutrition Seminar sponsored by the Erie County Health Department, at Erie County Community North on March 22, 1988, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed a total of \$50.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 7, 1988

File: R-SEM-MTGS (P2)

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - School Property for Country View East
On January 27, 1988, the Town Attorney wrote to Marrano/Marc Equity and informed them that the Town Board expects this detention basin to be constructed by them this year.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1988.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase II and Phase III (Marrano/Marc Equity).
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
4. Public Improvement Permit Authorization - Country View East Subdivision, Phase IV (Marrano/Marc Equity).
This item remains under unfinished business until P.I.P. No. 109 (street lighting) is accepted and a retention basin is constructed on the Lancaster Sr. High School property.
5. Public Improvement Permit Authorization - Countryside Subdivision, Phase II (Josela Enterprises)
This item remains under unfinished business until P.I.P. No. 102 (street lights) is accepted by the Town of Lancaster.
6. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase I (Marrano/Marc Equity)
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
7. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase II (Marrano/Marc Equity)
This item remains under unfinished business until P.I.P. No. 108 (street lighting) is accepted by the Town Board.
8. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)
On August 10, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 122 (street lighting), 123 (sidewalk) and 125 (storm sewer). On September 8, 1987, the Town Clerk was authorized to issue P.I.P. No. 128 (Detention Basin). On December 21, 1987 the Town Board accepted P.I.P. No. 124 (pavement & curbs), and 125 (water lines).
9. Public Improvement Permit Authorization - Lancaster Commerce Center (Gelert Development)
The Town Board authorized issuance of P.I.P. Nos. 79 (water main) and 80 (retention basin) on June 6, 1983.
10. Public Improvement Permit Authorization - Plumb Estates (Galasso)
The item remains under unfinished business until P.I.P. No. 127 (detention basin) and P.I.P. No. 114 (street lighting) is accepted by the Town Board.
11. Public Improvement Permit Authorization - Plumb Estates South, Phase I (Galasso)
The Town Board authorized issuance of P.I.P. Nos. 116 (pavement and curbs), 117 (storm sewer), and 118 (water line) on August 11, 1987.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

12. Public Improvement Permit Authorization - Plumb Estates South, Phase II (Gallasso)
The Town Board authorized issuance of P.I.P. Nos. 119 (pavement and curbs), 120 (water line), and 121 (storm sewer) on August 11, 1987.
13. Public Improvement Permit Authorization - Warnerview Estates (Donato)
The Town Board authorized issuance of P.I.P. Nos. 129 (detention basin), 130 (water line), 131 (pavement and curbs), and 132 (storm sewer) on December 21, 1987.
14. Rezone Petition - Cardinal Industries
On February 10, 1988, this matter was referred to the Planning Board for review and recommendation. On February 18, 1988, the Planning Board recommended approval of this rezone.
15. Rezone Petition - Pine Hill Concrete Corp.
On February 17, 1988, this matter was referred to the Planning Board for review and recommendation.
16. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redlein Dr.)
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
17. Subdivision Approval - The Meadows Subdivision (Giallanza - Aurora)
On September 3, 1986, the Planning Board recommended to the Town Board approval of this proposed subdivision. On September 26, 1986, the Planning Board rescinded their recommendation for approval of the preliminary plot previously adopted on September 3, 1986. On March 7, 1988, this subdivision was approved by the Town Board. The Town Clerk was directed to remove this item from future Town Board agendas.
18. Traffic Study - Speed Reduction, Peppermint Road
On March 16, 1987, this matter was referred to the Police and Safety Committee and to the Police Chief for investigation and recommendation.
19. Zoning Ordinance and Map Update
On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQOR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQOR review.

PERSON ADDRESSING TOWN BOARD:

Alexander Nawrocki, 700 Ransom Road, Lancaster, New York, thanked the Supervisor for helping him with a matter he recently brought to the Supervisor's attention.

Mr. Nawrocki also spoke to the Town Board about reconstruction of the Ransom Road Bridge. Mr. Nawrocki has urged the Town Board over the years to press the County Highway Department for reconstruction of this bridge which he would like to see reconstructed during his lifetime.

The Town Board assured Mr. Nawrocki that they are constantly pressing the County Highway Department on this matter.

COMMUNICATIONS:DISPOSITION

152. Town Attorney to Marrano/Marc Equity - Advisement re: detention basin construction at Lancaster Sr. H.S.	R & F
153. NYSDOT to Donna Reese - Notice of various traffic engineering investigations be initiated.	Chief Fowler R & F
154. Building Inspector to Town Board - Monthly report for February 1988.	R & F
155. Councilman Kwak to Town Board - Report on Association of Towns meeting.	R & F
156. Depew Supt. of Schools to Supervisor - Notification that playground will not interfere with drainage pipe.	Engineer
157. Chautauqua Councilman Davis to Supervisor - Expression of thanks for support given to bills re: changing of method of assessing condominium units.	R & F
158. Supervisor to Town Board - Report on Association of Towns meeting.	R & F
159. Association of Towns - 1988 resolutions reported by the Resolutions Committee.	R & F Town Attorney for resolution
160. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of variance petitions of M/M Stanl and Marrano Corp.	R & F
161. Helen M. Christian to Police Chief - Commendation of Officer Tim Domino for his helpfulness on an accident scene.	R & F
162. Supervisor to Town Board - Notice of appointment of Jean Tamol to position of Secretary to the Supervisor effective 3/7/88.	R & F
163. NYS Div. of Equalization and Assessment, Batavia Office, to Supervisor - Request advisement re: assessment update.	Supervisor
164. Youth Bureau Ex. Dir. to Supervisor - Recommendation of Lisa A. Labenski to position of tutor.	R & F
165. NYSDOT to Supervisor - Comments re: proposed North/South Corridor.	R & F
166. County Dept. of Environment and Planning to Supervisor - Notice of series of public meetings to be held 3/1-3/3/88 to review ongoing efforts to update the County Parks System Master Plan.	Recreation Committee
167. Town Attorney to Town Board - Comments re: plowing of Cemetery Rd. by County during bridge construction at Conrail tracks.	R & F
168. Supervisor to NYSDOT - Comments re: available fill from Cemetery Rd. Bridge project.	R & F

COMMUNICATIONS CONT'D:DISPOSITION

169. Councilman Giza to Town Board - Report on Association of Towns meeting.	R & F
170. Lancaster Village Board and Mayor - Status of use of Town facilities during renovation of Municipal Building.	R & F
171. Town Attorney to Supervisor - Update on the National Heritage Trust Grant for the Town Hall.	R & F
172. Town Attorney to County Attorney - Opinion re: posting of speed limit signs by Town on County roads.	R & F
173. Town Attorney to Town Board - Notice that rent for lease of school district property has increased.	Town Attorney
174. John Kicak, Zoning Board Member to Town Board - Report on Association of Towns meeting.	R & F
175. NYSDOT to County I.D.A. - Comments re: proposed north/south corridor.	R & F
176. State Mandate Task Force - Minutes from meeting held 1/12/88.	R & F
177. Councilman Miller to Town Board - Report on Association of Towns meeting.	R & F
178. David Brown to Town Board - Request purchase of computer items.	Supervisor directed to purchase items requested.
179. Youth Bureau Ex. Dir. to Town Board - Request hiring of Christine Hirsch as Temporary Social Work Counselor effective 4/4/88.	Town Clerk for resolution
180. Youth Bureau Ex. Dir. to Town Board - Request permission to attend the Assoc. of New York State Youth Bureau's meeting from 3/16-17/88 in Albany.	R & F
181. Youth Bureau Ex. Dir. to Town Board - Request re-appointment of Rev. M. Freeman to Drug Abuse Prevention Council.	R & F
182. Planning Board Chairmant to Town Board - Report on Association of Towns meeting.	R & F
183. Lovell Safety News - Article re: proposed new electrical safety standard.	R & F
184. Wm. L. Holcomb Associates to Supervisor - Offer of consulting services for period 6/30/88-6/30/90.	R & F
185. Town Attorney to Town board - Recommends consulting agreement for Wm. L. Holcomb be renewed.	R & F
186. Town Clerk to Supervisor - Monthly report for February 1988.	R & F
187. Highway Supt. to County Div. of Highways - Comments re: erection of stop signs on County roads.	R & F

COMMUNICATIONS CONT'D:

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DISPOSITION

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| 188. AAA Hydraulic Cylinder Service Inc. to Supervisor -
Comments re: proposed north/south corridor. | R & F |
| 189. LVAC to Town Board -
Recommendation of appointment of two members to active roster. | R & F |
| 190. Police Chief to Town Board -
Transmittal of check re: upgrading or police radio system. | R & F
Supervisor for letter to Sen. Volker |
| 191. Police Chief to Chair., Public Safety Committee -
Comments re: various speed surveys. | Public Safety Comm. |
| Supervisor Keysa requested a suspension of the necessary rule for Immediate consideration of the following communications -
SUSPENSION GRANTED. | |
| 192. Town Attorney to County Division of Highways Supervisor -
Re: Cemetery Rd. and Nichter Road, Ransom Rd. and Westwood Rd. | R & F |
| 193. David J. Erny to Town Board -
Re: Construction of house adjacent to his property at 1100 Town Line Road. | Drainage Committee |
| 194. Hinman, Staub, Pigors & Manning P.C. to NYSALT Member Towns -
Re: Attempting to secure a meeting with Jorling | R & F |
| 195. HazmatTeam to Supervisor -
Requesting change in local law regarding pre-fire inspection form. | Building Inspector
Public Safety Comm. |
| 196. Consulting Engineer to Beauty Pools -
Re: Town of Lancaster, Town Pool Renovations DG No. 011-027-3, Notice to Proceed. | R & F |
| 197. State Public Service Commission to Supervisor -
Re: Hearing on National Fuel Gas Distribution Corporation Rate Proposals. | R & F |
| 198. County Dept. of Environment & Planning to Northeast Board Members -
Minutes from Meeting 3/15/88. | R & F |
| 199. Police Chief to Town Board -
State of NY Check for \$85,356.00 towards police radio system. | R & F |
| 200. Erie County Compliance Services to Supervisor -
Re: Information on minimizing hazardous waste. | R & F |
| 201. Court Clerks to Supervisor -
Report on Association of Towns Meeting. | R & F |
| 202. Planning Board Chairman to Town Board -
Minutes from Meeting 3/2/88. | R & F |
| 203. NYS Environmental Conservation Committee Chairman to Supervisor -
Re: Illegal C & D sites in state. | R & F
Building Inspector |
| 204. U.S. Dept. of Justice to Supervisor -
Re: "Amnesty Awareness Day". | R & F |
| 205. County Highways Division to Supervisor -
Invitation to Pre-Construction Meetings. | R & F |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 9:50 P.M. out of respect to:

Sophie Stephan

Henry Repka

Gerald Bannochie

Signed

Robert P. Thill

Robert P. Thill, Town Clerk